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EXAMINER

HAROLD, JEFFEREY F

ART UNIT	PAPER NUMBER
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2644

DATE MAILED: 03/03/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/920,208

Applicant(s)

FUSCO, MARC E.

Examiner

Jefferey F. Harold

Art Unit

2644

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 August 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☒ Claim(s) 2, 9, 10 and 20 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 01 August 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ 6) ☐ Other: _____

DETAILED ACTION

Claim Objections

1. ***Claims 2, 9, 10 and 20*** are objected to under 37 CFR 1.75(c), because of the following informalities:

Regarding **claim 2**, it is objected to because of the following informalities:

In line 2 of claim 2, reads "pre-recorded announcement", however, independent claim 1 discloses "pre-recorded voice announcement". The examiner suggests "voice" be inserted prior to announcement. Appropriate correction is required.

In line 3 of claim 2, reads "each phone call", however, independent claim 1 discloses "incoming phone call". The examiner suggests "incoming" be inserted prior to phone. Appropriate correction is required.

Regarding **claim 9** it is objected to because of the following informality:

In line 4 of claim 9, reads "the pre-recorded voice announcement", however, in line 3 it reads "a voice announcement". The examiner suggests "the voice announcement" be inserted after correlate. Appropriate correction is required.

Regarding **claim 10** it is objected to because of the following informality:

In line 2 of claim 10, reads "the announcement", however, independent claim 9 discloses "voice announcement". The examiner suggests "voice" be inserted prior to announcement. Appropriate correction is required.

Regarding **claim 20** is objected to because of the following informality:

In line 1 of claim 20, reads "The equipment", however, independent claim 16 discloses "telephone equipment". The examiner suggests "telephone" be inserted prior to equipment. Appropriate correction is required.

Claim Rejections - 35 USC § 112

2. ***Claim 18*** recites the limitation "the announcement storage database" in line. ?

This limitation is recited in claim 17. There is insufficient antecedent basis for this limitation in the claim. For the purpose of the rejection recited below, the examiner has assumed that claim 18 depends from claim 17.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. ***Claims 1-5, 8-12, 14 and 15*** are rejected under 35 U.S.C. 102(e) as being anticipated by Guerico et al. (United States Patent 6,373,925), hereinafter referenced as Guerico.

Regarding **claim 1**, Guerico discloses a telephone calling party announcement system and method. In addition, Guerico discloses a method of announcing to a user

an incoming telephone call of a calling party, which reads on the claimed "method of alerting a user of an incoming phone call", as disclosed at column 7, lines 32-47 and exhibited in figure 7, the method consisting of the steps of:

receiving a ring signal for an incoming telephone call with caller ID information associated with the incoming telephone call, which reads on the claimed "receiving notification of the incoming phone call with an identifier associated with the incoming phone call", wherein the ring signal reads on the claimed "notification" and the caller ID information reads on the claimed "identifier", as disclosed at column 3, lines 21-23; column 7, lines 38-39 and exhibited in the first and second decision blocks of figure 7;

detecting the caller ID information associated with the incoming telephone call, which reads on the claimed "detecting the identifier associated with the incoming call", wherein the caller ID information reads on the claimed "identifier" as disclosed at column 7, lines 38-40 and exhibited in figure 7, wherein decoding of the caller ID information is accomplished as a result of the caller ID information being present;

associating the caller ID information with a previously stored voice message, which reads on claimed "correlating the identifier with a pre-recorded voice announcement", wherein the telephone number portion of the caller ID information, which reads on the claimed "identifier", is used to search table 27 of control memory unit (26), which comprises previously stored telephone numbers and associated voice messages, to determine if a match exists for the telephone number portion of the caller ID and the previously stored telephone number, wherein a determined match

establishes the association, which reads on the claimed "correlating" step, as disclosed at column 4, lines 24-33; column 7, lines 41-44, and exhibited in figures 2 and 7;

playback the associated voice message, which reads on the claimed "playing the pre-recorded voice announcement", wherein the voice message unit (16), plays back the stored voice message associated with the telephone number of the calling party, as disclosed at column 4, lines 34-38; column 7, lines 44-46 and exhibited in figures 3 and in step 68 of figure 7.

Regarding **claim 2**, Guercio discloses everything claimed as applied above (see claim 1), in addition, Guercio further discloses a step of receiving the associated voice message for each incoming telephone call, which reads on the claimed "step of receiving the pre-recorded announcement for each phone call", wherein voice message unit (16) plays back, which reads on the claimed "receiving", the associated voice message, which reads on the claimed "pre-recorded announcement" associated with each of the calling parties, which reads on the claimed "each incoming phone call", as disclosed at column 4, lines 38-40; column 7, lines 32-38; and exhibited in figure 7.

Regarding **claim 3**, Guercio discloses everything claimed as applied above (see claim 1), in addition, the method of Guercio further consists of correlating the caller ID consisting of at least the step of, correlating a telephone number with a previously recorded voice message, which reads on the claimed "correlating a phone number with a pre-recorded voice announcement", wherein table 27 of control memory unit (26) includes one or more entries, and each entry includes a telephone number and an associated message, which reads on the claimed step of "correlating", the previously

recorded voice announcement reads on the claimed "pre-recorded voice announcement", the caller ID information, which reads on claimed "identifier", as disclosed at column 4, lines 19-23; column 6, line 65 through column 7, line 3; column 7, line 32-38.

Regarding **claim 4**, Guercio discloses everything claimed as applied above (see claim 1), in addition, the method of Guercio further consists of storing an associated voice message, which reads on the claimed "recording the pre-recorded voice announcement", wherein storing reads on "recording", and associated voice message reads on "pre-recorded voice announcement", as disclosed at column 7, lines 33-34, and exhibited in figure 7, step 62; receiving a telephone number as part of the caller ID information that helps correlate the stored associated voice message to the caller ID, which reads on the claimed "receiving a selection that helps correlates the pre-recorded voice announcement to the identifier, wherein the telephone number reads on the "selection" and the associated voice message reads on the "pre-recorded voice announcement" and the caller ID reads on the "identifier", as disclosed at column 6, line 65 through column 7, line 3; column 7, lines 41-44 and exhibited in figure 7.

Regarding **claim 5**, Guercio discloses everything claimed as applied above (see claim 4), in addition, the method of Guercio further consists of storing the associated voice message with telephone calling party announcement system, which reads on the claimed "step of storing the pre-recorded voice announcement with consumer phone equipment", wherein the associated voice announcement reads on the claimed "pre-recorded voice announcement" and the telephone calling party announcement system

reads on the claimed "consumer phone equipment", as disclosed at column 3, lines 35-40.

Regarding **claim 8**, Guercio discloses everything claimed as applied above (see claim 1), in addition Guercio discloses a digital signal processor (DSP) for performing the functions of announcing to the user an incoming call of a calling party, which reads on claimed "computer-readable medium having computer-executable instructions for alerting the user of the incoming phone call", wherein the digital signal processor reads on the claimed "computer-readable medium" and functions read on the claimed "computer-executable instruction", as disclosed at column 6, lines 6-30 and exhibited in figure 6.

Regarding **claim 9**, Guercio discloses a method of announcing to a user an incoming telephone call of a calling party, which reads on the claimed "method of alerting a user of an incoming phone call", as disclosed at column 7, lines 32-47 and exhibited in figure 7, the method consisting of the steps of:

storing an associated voice message, which reads on "recording a voice announcement", wherein storing reads on "recording", and associated voice message reads on "voice announcement", as disclosed at column 7, lines 33-34, and exhibited in figure 7, step 62;

receiving a telephone number as part of the caller ID information that helps correlate the stored associated voice message to the caller ID, which reads on the claimed "receiving a selection that helps correlates the pre-recorded voice announcement to the identifier, wherein the telephone number reads on the "selection"

and the associated voice message reads on the "pre-recorded voice announcement" and the caller ID reads on the "identifier", as disclosed at column 6, line 65 through column 7, line 3; column 7, lines 41-44 and exhibited in figure 7.

receiving a ring signal for an incoming telephone call with caller ID information associated with the incoming telephone call, which reads on the claimed "receiving notification of the incoming phone call that indicates the identifier associated with the incoming phone call", wherein the ring signal reads on the claimed "notification" and the caller ID information reads on the claimed "identifier", as disclosed at column 3, lines 21-23; column 7, lines 38-39 and exhibited in the first and second decision blocks of figure 7;

detecting the caller ID information associated with the incoming telephone call, which reads on the claimed "detecting the identifier associated with the incoming call", wherein the caller ID information reads on the claimed "identifier" as disclosed at column 7, lines 38-40 and exhibited in figure 7, wherein decoding of the caller ID information is accomplished as a result of the caller ID information being present;

associating the caller ID information with a previously stored voice message, which reads on claimed "correlating the identifier with a voice announcement", wherein the telephone number portion of the caller ID information, which reads on the claimed "identifier", is used to search table 27 of control memory unit (26), which comprises previously stored telephone numbers and associated voice messages, to determine if a match exists for the telephone number portion of the caller ID and the previously stored telephone number, wherein a determined match establishes the association, which

reads on the claimed "correlating" step, as disclosed at column 4, lines 24-33; column 7, lines 41-44, and exhibited in figures 2 and 7;

playback the associated voice message, which reads on the claimed "playing the pre-recorded voice announcement", wherein the voice message unit (16), plays back the stored voice message associated with the telephone number of the calling party, as disclosed at column 4, lines 34-38; column 7, lines 44-46 and exhibited in figures 3 and in step 68 of figure 7.

Regarding **claim 10**, Guercio discloses everything claimed as applied above (see claim 9), in addition, Guercio further discloses a step of receiving the associated voice message for each incoming telephone call, which reads on the claimed "step of receiving the voice announcement for each phone call", wherein voice message unit (16) plays back, which reads on the claimed "receiving", the associated voice message, which reads on the claimed "voice announcement" associated with each of the calling parties, which reads on the claimed "each incoming phone call", as disclosed at column 4, lines 38-40; column 7, lines 32-38; and exhibited in figure 7.

Regarding **claim 11**, Guercio discloses everything claimed as applied above (see claim 9), in addition, Guercio further consists of correlating the caller ID consisting of at least the step of, wherein the caller ID reads on the claimed "identifier": correlating a telephone number with a previously recorded voice message, which reads on the claimed "correlating a phone number with a voice announcement", wherein table 27 of control memory unit (26) includes one or more entries, and each entry includes a telephone number and an associated message, which reads on the claimed step of

"correlating", the previously recorded voice announcement reads on the claimed "pre-recorded voice announcement", the caller ID information, which reads on claimed "identifier", as disclosed at column 4, lines 19-23; column 6, line 65 through column 7, line 3; column 7, line 32-38.

Regarding **claim 12**, Guercio discloses everything claimed as applied above (see claim 9), in addition, the method of Guercio further consists of storing the associated voice message with telephone calling party announcement system, which reads on the claimed "step of storing the voice announcement with consumer phone equipment", wherein the associated voice announcement reads on the claimed "voice announcement" and the telephone calling party announcement system reads on the claimed "consumer phone equipment", as disclosed at column 3, lines 35-40.

Regarding **claim 14**, Guercio discloses everything claimed as applied above (see claim 9), in addition the method of Guercio discloses wherein the playback step consists of playback of the associated voice message with a speaker (20) of telephone party announcement system (10), which reads on the step of "playing the voice announcement with a speaker separate from an earpiece", wherein playback reads on "playing", the associated voice announcement reads on the "voice announcement", and the speaker (20), which is a component of the telephone calling party announcement system, further the announcement system is separate from the telephone unit, thus the speaker of the announcement system is separate from the earpiece as disclosed at column 7, lines 5-23 and exhibited in figure 1.

Regarding **claim 15**, Guercio discloses everything claimed as applied above (see claim 9), in addition, Guercio discloses a digital signal processor (DSP) for performing the functions of announcing to the user an incoming call of a calling party, which reads on claimed "computer-readable medium having computer-executable instructions for alerting the user of the incoming phone call", wherein the digital signal processor reads on the claimed "computer-readable medium" and functions read on the claimed "computer-executable instruction", as disclosed at column 6, lines 6-30 and exhibited in figure 6.

4. **Claims 16 and 17** are rejected under 35 U.S.C. 102(e) as being anticipated by Guercio, specifically embodiment 2.

Regarding **claim 16**, Guercio's second embodiment discloses a telephone calling party announcement system (42), elements shared with the first embodiment are numbered the same, for announcing to a user an incoming telephone call of a calling party with an associated voice message, which reads on "telephone equipment for announcing phone calls with a pre-recorded voice announcement, wherein telephone calling party announcement system reads on the claimed "telephone equipment" and associated voice message reads on the claimed "pre-recorded voice announcement" as disclosed at column 5, lines 64-65; column 6, line 65 through column 7, line 5 and exhibited in figure 5, telephone calling party announcement system consisting of:

an analog to digital converter (46) converts analog voice message information input into a stream of digitized associated voice message, which reads on "a sound digitizer that converts a sound to the pre-recorded voice announcement", wherein the

analog to digital converter (46) reads on the claimed "sound digitizer", analog voice message information, reads on the claimed "sound" and the stream of digitized associated voice message reads on the claimed "pre-recorded voice announcement", as disclosed at column 6, lines 5-30; column 6, lines 65-67 and exhibited in figures 2 and 5.

caller ID decoder (18) that each time after a ring signal is detected on the telephone line, caller ID decoder (18) produces the telephone number portion of caller ID information associated with the incoming call, which reads on "a caller ID function that detects an identifier associated with an incoming phone call", wherein the call ID decoder reads on the claimed "caller ID function", the telephone number portion of the caller ID information reads on the claimed "identifier", as disclosed at column 5, lines 45-54 and exhibited in figure 1;

table (27) of the control memory unit (26) associates the telephone number portion of the caller ID information with the associated voice message, which reads on "a correlator that associates the identifier with the pre-recorded voice announcement", wherein the table (27) of the control memory unit (26) reads on the "correlator", the telephone number portion of the caller ID information reads on the claimed "identifier", and the associated voice message reads on the claimed "pre-recorded voice announcement", as disclosed at column 4, lines 18-30; column 7, lines 65-67 and exhibited in figure 2;

a speaker (20) that reproduces an associated voice message after the associated voice message is matched to the telephone number portion of the caller ID

information, which reads on “a speaker that plays the pre-recorded voice announcement after the pre-recorded voice announcement is correlated to the identifier”, wherein reproduces reads on claimed “plays”, the associated voice message reads on claimed “pre-recorded voice announcement”, matched reads on claimed “correlated” and telephone number portion of the caller ID information reads on the claimed “identifier”, as disclosed at column 6, line 65 through column 7, line 23 and exhibited in figures 2 and 5,

Regarding **claim 17**, Guercio discloses everything claimed as applied above (see claim 16), in addition Guercio discloses table (27) of control memory unit (26) that stores associated voice announcements, which reads on “an announcement storage database that stores the pre-recorded voice announcement”, wherein table (27) of control memory unit (26) reads on the claimed “announcement storage database” and associated voice announcements reads on the claimed “pre-recorded voice announcement”, as disclosed at column 4, lines 19-21 and exhibited in figure 2.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. ***Claims 6, 7, and 13*** are rejected under 35 U.S.C. 103(a) as being unpatentable over Guercio, in view of Hamrick et al., (United States Patent 6,466,653), hereinafter referenced as Hamrick.

Regarding **claim 6**, Guercio discloses everything claimed as applied above (see claim 1), in addition the method of Guercio consists of playing the associated voice message, wherein the associated voice announcement reads on the "pre-recorded voice announcement", further the telephone system disclosed in Guercio provides for communication between parties and identification of incoming caller (caller ID) however, Guercio fails to disclose a step of interrupting a phone call to provide a voice announcement. However, the examiner maintains that it was well known in the art for the telephone system disclosed in Guercio to provide a step of interrupting a phone call to provide a voice announcement, as taught by Hamrick.

In a similar field of endeavor Hamrick discloses a text to speech preprocessing and conversion of caller ID data in a telephone unit. In addition, the telephone system of Hamrick discloses a telephone subscriber unit (22) that includes a caller ID device (120). Further the method of Hamrick discloses a step of cut-through to the subscriber call and generating the audible caller information to the subscriber, which reads on

interrupting a phone call and providing a voice announcement, wherein cut-through reads on the claimed "interrupting", subscriber reads on the claimed "phone call", and audible caller information reads on the claimed "pre-recorded voice announcement", as disclosed at column 7, lines 26-34 and exhibited in figure 2.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the telephone system of Guercio by specifically providing a step of interrupting a phone call to provide a voice announcement, as taught by Hamrick, for the purpose of providing audible caller ID information to a telephone system user.

Regarding **claim 7**, Guercio discloses everything claimed as applied above (see claim 1), in addition the method of Guercio discloses wherein the playback step consists of playback of the associated voice message, wherein playback reads on "playing" and the associated voice announcement reads on the "pre-recorded voice announcement", further the telephone system disclosed in Guercio provides for communication between parties and audibly playing the identification of incoming caller (caller ID) so that it may be heard by the user, however, Guercio fails to disclose playing a voice announcement with an earpiece. However, the examiner maintains that it was well known in the art for the telephone system disclosed in Guercio to play a voice announcement with an earpiece, as taught by Hamrick.

In addition, the telephone system of Hamrick discloses a telephone subscriber unit (22) that includes a cordless handset (130) with a loudspeaker (146) for announcing caller ID information, which reads on playing a voice announcement with an earpiece,

Art Unit: 2644

wherein the cordless handset speaker reads on the claimed "earpiece", as disclosed at column 12, lines 58-62 and exhibited in figure 5.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the telephone system of Guercio by specifically providing playing a voice announcement with an earpiece, as taught by Hamrick, for the purpose of providing discrete audible caller ID information to a telephone system user.

Regarding **claim 13**, Guercio discloses everything claimed as applied above (see claim 9), in addition the method Guercio consists of playing the associated voice message, wherein the associated voice announcement reads on the "voice announcement", further the telephone system disclosed in Guercio provides for communication between parties and identification of incoming caller (caller ID) however, Guercio fails to disclose a step of interrupting a phone call to provide a voice announcement. However, the examiner maintains that it was well known in the art for the telephone system disclosed in Guercio to provide a step of interrupting a phone call to provide a voice announcement, as taught by Hamrick.

In addition, the telephone system of Hamrick discloses a telephone subscriber unit (22) that includes a caller ID device (120). Further the method of Hamrick discloses a step of cut-through to the subscriber call and generating the audible caller information to the subscriber, which reads on interrupting a phone call and providing a voice announcement, wherein cut-through reads on the claimed "interrupting", subscriber reads on the claimed "phone call", and audible caller information reads on the claimed "voice announcement", as disclosed at column 7, lines 26-34 and exhibited in figure 2.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the telephone system of Guercio by specifically providing a step of interrupting a phone call, as taught by Hamrick, for the purpose of providing audible caller ID information to a telephone system user.

6. **Claims 18 and 20** are rejected under 35 U.S.C. 103(a) as being unpatentable over Guercio, in view of Bertocci et al., (United States Patent 6,148,213), hereinafter referenced as Bertocci.

Regarding **claim 18**, Guercio discloses everything claimed as applied above (see claims 16 and 17), in addition Guercio discloses table (27) of control memory unit (26) that stores associated voice announcements, which reads on "an announcement storage database that stores the pre-recorded voice announcement", wherein table (27) of control memory unit (26) reads on the claimed "announcement storage database" and associated voice announcements reads on the claimed "pre-recorded voice announcement", as disclosed at column 4, lines 19-21 and exhibited in figure 2, however, Guercio fails to disclose wherein the announcement storage database is remotely located with respect to a location of the speaker. However, the examiner maintains that it was well known in the art to provide wherein the announcement storage database is remotely located with respect to a location of the speaker, as taught by Bertocci.

In a similar field of endeavor Bertocci discloses an apparatus for accessing a telephone answering device from a cordless telephone portable unit. In addition,

Art Unit: 2644

Bertocci discloses wherein a name and the receivable caller-ID telephone number, including the area code are stored in memory (129) which is located in the telephone base unit (10), as disclosed at column 8, lines 2-20. In addition to entering the telephone number caller-ID number into memory, the user is able to associate a short message with each number so that the message may be later played through the loudspeaker (235) located within the handset unit (20), hence the memory (129) is located within the base unit (10) and the loudspeaker (235) is located within the handset, wherein the handset is transportable to distances within the signal range of the base unit, thus when the handset unit is not in the base unit, it and the loudspeaker (235) are remotely located from the memory (129), which reads on "the announcement storage database is remotely located with respect to a location of the speaker", wherein the memory (129) reads on the claimed "announcement storage database", as disclosed at column 8, lines 30-41 and exhibited in figures 1-3.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Guercio by specifically providing wherein the announcement storage database is remotely located with respect to a location of the speaker, as taught by Bertocci, for the purpose of listening to audio data via the loudspeaker at any location away from the base unit within the range of the transmission signal.

Regarding **claim 20**, Guercio discloses everything claimed as applied above (see claim 16), however, Guercio fails to disclose wherein an earpiece comprises the

speaker. However, the examiner maintains that it was well known in the art to provide wherein an earpiece comprises the speaker, as taught by Bertocci.

In addition, Bertocci discloses wherein the radio receiver (223) demodulates signals from the base unit (10) and couples the signal to the acoustic receiver (231) located within the handset unit (20), which reads on “an earpiece comprises the speaker”, wherein the handset unit (20) reads on the claimed “earpiece” and the acoustic receiver (231) reads on the claimed “speaker”, as disclosed at column 8, lines 59-66 and exhibited in figure 4.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Guercio by specifically providing wherein an earpiece comprises the speaker, as taught by Bertocci, for the purpose of listening to the audio data via the handset at any location away from the base unit within the range of the transmission signal.

7. **Claim 19** is rejected under 35 U.S.C. 103(a) as being unpatentable over Guercio, in view of Shtivelman et al., (United States Patent 6,078,581), hereinafter referenced as Shtivelman.

Regarding **claim 19**, Guercio discloses everything claimed as applied above (see claim 16), in addition Guercio discloses where the telephone number, which reads on the claimed “at least one criterion”, is received via the PSTN for identification of the incoming call, however, Guercio fails to disclose receiving telephone numbers via a web interface. However, the examiner maintains that it was well known in the art to receive

Art Unit: 2644

telephone numbers via a web interface for identification of an incoming call, as taught by Shtivelman.

In a similar field of endeavor Shtivelman discloses internet call waiting. In addition Shtivelman discloses switch (141) for receiving an incoming call and forwarding an alert signal and the caller ID information to the client at a computer station (112) while the user is engaged in an internet session, which reads on the "web interface", wherein the user engaged in an internet session reads on the claimed "web interface", as disclosed at column 5, lines 16-49 and exhibited in figures 1 and 2.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the telephone system of Guercio by specifically providing receiving telephone numbers via a web interface, as taught by Shtivelman, for the purpose of allowing a user to maintain an internet PSTN session and receive caller ID information of incoming PSTN telephone call.

Conclusion

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jefferey F. Harold whose telephone number is (703) 306-5836. The examiner can normally be reached on Monday-Friday 9:30am-6pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Forester W. Isen can be reached on (703) 305-4386. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-4800.



JFH
February 26, 2004